

U.S. Appl. No. 09/381,190
Reply to Office Action dated April 14, 2006

PATENT
450106-4749

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REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the remarks herewith. The present response is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 28-61 are pending in this application. Claims 28 and 45-61 are independent. Claims 1-27 have been canceled without prejudice or disclaimer of subject matter.

II. REJECTIONS UNDER 35 U.S.C. §102

Claims 28-61 were rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 6,262,777 to Brewer, et al.

Claim 28 recites, *inter alia*:

"...detecting means for matching phases of the first base band signal, the second base band signal, and a third base band signal, and comparing these signals to detect an edit position at which the first base band signal and the second base band signal are connected, the third base band signal being obtained by editing the first base band signal and the second base band signal;

re-encoding means for re-encoding the third base band signal to generate a third encoded bit stream; and

controlling means for controlling said re-encoding means to selectively re-use the first encoded bit stream or first codec information used to generate the first base band signal and the second encoded bit stream or second codec information used to generate the second base band signal corresponding to the edit position detected by said detecting means to re-encode the third base band signal." (emphasis added)

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As understood by Applicants, U.S. Patent No. 6,262,777 to Brewer, et al. (hereinafter, merely "Brewer") relates to synchronizing edited audiovisual files.

Applicants submit that nothing has been found in Brewer that would teach or suggest the above-identified features of claim 28.

Specifically, Applicants respectfully submit that the cited portions of Brewer in the Office Action relied upon; specifically, column 4, lines 6-21 and column 10, lines 20-34, do not teach or suggest the above-identified feature of claim 28.

As understood by Applicants, the cited portion of Brewer, column 4, lines 6-21 discloses that a predetermined number of audio frames at each end of the copied audio segment may be decoded and re-encoded to generate glue frames. Copied segments are processed in a first pass and a second pass is used to stitch together the processed audio and video segments into a single file. Frames at the end may be dropped in order to have a file that is no more than half an audio frame in error.

Applicants submit that such a disclosure does not teach or disclose any of the above-identified features of claim 28 and, therefore, does not render claim 28 unpatenable.

Furthermore, as understood by Applicants, the cited portion of Brewer, column 10, lines 20-34 discloses that an encoder re-encodes audio frame data into appropriate cells and stores the re-encoded files into a glue file. Once all of the predetermined number of audio files are decoded and recoded for each of the in-glue and out-glue segments, the segments are stored in an appropriate glue file.

Applicants submit that such a disclosure does not teach or disclose any of the above-identified features of claim 28 and, therefore, does not render claim 28 unpatenable.

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Applicants submit that nothing has been found in Brewer that would teach or suggest the above-identified features of claim 28. Specifically, Applicants submit that Brewer fails to teach or suggest detecting means for matching phases of the first base band signal, the second base band signal, and a third base band signal, and comparing these signals to detect an edit position at which the first base band signal and the second base band signal are connected, the third base band signal being obtained by editing the first base band signal and the second base band signal, re-encoding means for re-encoding the third base band signal to generate a third encoded bit stream, and controlling means for controlling said re-encoding means to selectively re-use the first encoded bit stream or first codec information used to generate the first base band signal and the second encoded bit stream or second codec information used to generate the second base band signal corresponding to the edit position detected by said detecting means to re-encode the third base band signal, as recited in claim 28.

Therefore, claim 28 is patentable. For reasons similar to those above, claims 45-49 are also patentable.

Claim 50 recites, *inter alia*:

"...re-encoding means for re-encoding a third base band signal to generate a third encoded bit stream, the third base band signal being obtained by editing a first base band signal and a second base band signal, the first base band signal being obtained by decoding a first encoded bit stream, the second base band signal being obtained by decoding a second encoded bit stream; and

controlling means for controlling said re-encoding means to selectively re-use the first encoded bit stream or first codec information used to generate the first base band signal and the second encoded bit stream or second codec information used to generate the second base band signal corresponding to an edit position at which the first base band signal and the second base band signal are connected and that is detected by matching the phases of the first base band

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signal, the second base band signal, and the third base band signal and comparing these signals to re-encode the third base band signal." (emphasis added)

Applicants submit that the cited portions of Brewer, as described above, fail to teach or suggest any of the above-identified features of claim 50 and therefore, do not render claim 50 unpatentable.

Furthermore, Applicants submit that nothing has been found in Brewer that would teach or suggest the above-identified features of claim 50. Specifically, Applicants submit that Brewer fails to teach or suggest re-encoding means for re-encoding a third base band signal to generate a third encoded bit stream, the third base band signal being obtained by editing a first base band signal and a second band signal, the first base band signal being obtained by decoding a first encoded bit stream, the second base band signal being obtained by decoding a second encoded bit stream and controlling means for controlling said re-encoding means to selectively re-use the first encoded bit stream or first codec information used to generate the first base band signal and the second encoded bit stream or second codec information used to generate the second base band signal corresponding to an edit position at which the first base band signal and the second base band signal are connected and that is detected by matching the phases of the first base band signal, the second base band signal, and the third base band signal and comparing these signals to re-encode the third base band signal, as recited in claim 50.

Therefore, claim 50 is patentable. For reasons similar to those above, claims 51-61 are also patentable

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CONCLUSION

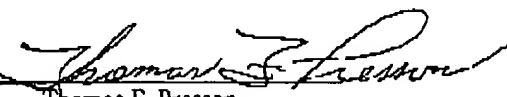
In the event the Examiner disagrees with any of statements appearing above with respect to the disclosures in the cited reference, it is respectfully requested that the Examiner specifically indicate those portions of the reference providing the basis for a contrary view.

In view of the foregoing remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,

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